



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 29 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 3-8-5-2, AS AMENDED BY P.L.278-2019,
4 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JANUARY 1, 2025]: Sec. 2. **(a) This section applies only to a town
6 described in section 1 of this chapter that conducts an election
7 during an odd-numbered year.**
8 ~~(a)~~ **(b)** A candidate for a town office may be nominated by a major
9 political party using any of the following methods:
10 (1) By convention conducted under this chapter.
11 (2) By a primary election, if the town legislative body adopts an
12 ordinance under subsection ~~(d)~~; **(e)**.
13 (3) If a town convention or a primary election is not required
14 under section 10 of this chapter for the political party of which the
15 candidate is a member, by the candidate's declaration of
16 candidacy.
17 ~~(b)~~ **(c)** Unless a town legislative body adopts an ordinance under
18 subsection ~~(d)~~; **(e)**, a town shall use the convention method described
19 in this chapter to nominate major political party candidates for town
20 offices.
21 ~~(c)~~ **(d)** A candidate may also be nominated for a town office by:
22 (1) a declaration of write-in candidacy under IC 3-8-2-4;
23 (2) a town convention of a political party described in section 17
24 of this chapter; or
25 (3) a petition under IC 3-8-6.
26 ~~(d)~~ **(e)** The town legislative body may adopt an ordinance not later
27 than January 1 of the year in which a municipal election is held to

1 establish a primary election for the nomination of major political party
 2 candidates. The town clerk-treasurer shall file a copy of the ordinance
 3 with the circuit court clerk of the county that contains the greatest
 4 percentage of the town's population not later than noon on the first date
 5 following the adoption of the ordinance that a declaration of candidacy
 6 may be filed under IC 3-8-2-4.

7 ~~(e)~~ **(f)** If a town described by ~~section 1 of this chapter~~ **subsection (a)**
 8 adopts an ordinance under subsection ~~(d)~~ **(e)** to nominate major
 9 political party candidates by a primary election, the following apply:

10 (1) The county election board of the county that contains the
 11 greatest percentage of the town's population shall conduct the
 12 primary election for the town.

13 (2) All statutes governing primary elections for towns apply.

14 (3) The town may not change the method of nominating
 15 candidates for town offices more than one (1) time in any twelve
 16 (12) year period.

17 SECTION 2. IC 3-8-5-2.5 IS ADDED TO THE INDIANA CODE
 18 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 19 **JANUARY 1, 2025]: Sec. 2.5. (a) This section applies only to a town**
 20 **described in section 1 of this chapter that conducts an election**
 21 **during an even-numbered year.**

22 **(b) A candidate for a town office may be nominated by a major**
 23 **political party using any of the following methods:**

24 **(1) By a primary election.**

25 **(2) By convention conducted under this chapter, if the town**
 26 **legislative body adopts an ordinance under subsection (e).**

27 **(3) If a town convention or a primary election is not required**
 28 **under section 10 of this chapter for the political party of**
 29 **which the candidate is a member, by the candidate's**
 30 **declaration of candidacy.**

31 **(c) Unless a town legislative body adopts an ordinance under**
 32 **subsection (e), a town shall use the primary election described in**
 33 **IC 3-10-1 to nominate major political party candidates for town**
 34 **offices.**

35 **(d) A candidate may also be nominated for a town office by:**

36 **(1) a declaration of write-in candidacy under IC 3-8-2-4;**

37 **(2) a town convention of a political party described in section**
 38 **17 of this chapter; or**

39 **(3) a petition under IC 3-8-6.**

40 **(e) The town legislative body may adopt an ordinance not later**
 41 **than one hundred twenty (120) days before a primary election**
 42 **conducted in an even-numbered year to establish that a town**
 43 **convention described in this chapter must be conducted for the**
 44 **nomination of major political party candidates. The town**
 45 **clerk-treasurer shall file a copy of the ordinance with the circuit**
 46 **court clerk of the county that contains the greatest percentage of**

1 **the town's population not later than one hundred nineteen (119)**
2 **days before the primary election conducted in an even-numbered**
3 **year.**
4 **(f) If a town described in subsection (a) adopts an ordinance**
5 **under subsection (e) to nominate major political party candidates**
6 **at a town convention described in this chapter, the town may not**
7 **change the method of nominating candidates for town offices more**
8 **than one (1) time in any twelve (12) year period."**
9 Page 1, line 9, delete "chapter." and insert "chapter or as provided
10 **in section 2.5 of this chapter."**
11 Renumber all SECTIONS consecutively.
 (Reference is to SB 29 as printed January 10, 2024.)

Senator DONATO